

AMENDED IN ASSEMBLY JUNE 21, 2016

AMENDED IN SENATE APRIL 19, 2016

AMENDED IN SENATE APRIL 4, 2016

**SENATE BILL**

**No. 1139**

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**Introduced by Senator Lara**  
**(~~Coauthor: Senator Hall~~)**  
***(Coauthors: Senators Block, Hall, and Hertzberg)***  
***(Coauthor: Assembly Member Gipson)***

February 18, 2016

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An act to add Section 2064.3 to the Business and Professions Code, and to add Section 128371 to the Health and Safety Code, relating to health professionals.

LEGISLATIVE COUNSEL'S DIGEST

SB 1139, as amended, Lara. Health professionals: medical residency programs: undocumented immigrants: scholarships, loans, and loan repayment.

(1) Existing law, known as the Medical Practice Act, provides for licensing and regulation of physicians and surgeons by the Medical Board of California and imposes various requirements in that regard. Existing law requires an applicant for a license as a physician and surgeon to successfully complete a specified medical curriculum, a clinical instruction program, and a training program. Existing law provides that nothing in the Medical Practice Act shall be construed to prohibit a foreign medical graduate from engaging in the practice of medicine whenever and wherever required as part of a clinical service program, subject to certain conditions.

Existing law, known as the Donahoe Higher Education Act, sets forth, among other things, the missions and functions of California's public and independent segments of higher education and their respective institutions of higher education. Existing law establishes the University of California, under the administration of the Regents of the University of California, as one of the segments of public postsecondary education in this state. The University of California operates medical schools at its Davis, Irvine, Los Angeles, San Diego, and San Francisco campuses, and a medical school will open at its Riverside campus in the 2016–17 academic year.

This bill would provide that any student, including a person without lawful immigration status, a person who is exempt from nonresident tuition pursuant to a specified statute, or a person who fits into both of those categories, who meets the requirements for admission is eligible to participate in a medical school program and a medical residency training program at any public or private postsecondary educational institution that offers such a program. ~~The bill would also encourage the University of California to develop a process for awarding student financial aid that may include, but not be limited to, grants, scholarships, and stipends, in lieu of employment for students in a medical residency training program whose participation is authorized by this bill.~~

(2) Existing law establishes the Office of Statewide Health Planning and Development and makes the office responsible for administering various programs with respect to the health care professions.

This bill would prohibit specified programs administered by the office from denying an application based on the citizenship status or immigration status of the applicant.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 2064.3 is added to the Business and
- 2 Professions Code, to read:
- 3 2064.3. Notwithstanding any other ~~law~~: *law, any student,*
- 4 *including a person without lawful immigration status, a person*
- 5 *who is exempt from nonresident tuition pursuant to Section 68130.5*
- 6 *of the Education Code, or a person who is both without lawful*
- 7 *immigration status and exempt from nonresident tuition pursuant*
- 8 *to Section 68130.5 of the Education Code, who meets the*

1 *requirements for admission is eligible to participate in a medical*  
2 *school program and a medical residency training program at any*  
3 *public or private postsecondary educational institution that offers*  
4 *such a program.*

5 ~~(a) Any student, including a person without lawful immigration~~  
6 ~~status, a person who is exempt from nonresident tuition pursuant~~  
7 ~~to Section 68130.5 of the Education Code, or a person who is both~~  
8 ~~without lawful immigration status and exempt from nonresident~~  
9 ~~tuition pursuant to Section 68130.5 of the Education Code, who~~  
10 ~~meets the requirements for admission is eligible to participate in~~  
11 ~~a medical school program and a medical residency training program~~  
12 ~~at any public or private postsecondary educational institution that~~  
13 ~~offers such a program.~~

14 ~~(b) The University of California is encouraged to develop a~~  
15 ~~process for awarding student financial aid that may include, but~~  
16 ~~not be limited to, grants, scholarships, and stipends, in lieu of~~  
17 ~~employment for students in a medical residency training program~~  
18 ~~whose participation is authorized by this section.~~

19 SEC. 2. Section 128371 is added to the Health and Safety Code,  
20 to read:

21 128371. (a) The Legislature finds and declares that it is in the  
22 best interest of the State of California to provide persons who are  
23 not lawfully present in the United States with the state benefits  
24 provided by ~~Health Professions Education Foundation programs,~~  
25 *those programs listed in subdivision (d),* and therefore, enacts this  
26 section pursuant to Section 1621(d) of Title 8 of the United States  
27 Code.

28 (b) A program listed in subdivision (d) shall not deny an  
29 application based on the citizenship status or immigration status  
30 of the applicant.

31 (c) For any program listed in subdivision (d), when mandatory  
32 disclosure of a social security number is required, an applicant  
33 shall provide his or her social security number, if one has been  
34 issued, or an individual tax identification number that has been or  
35 will be submitted.

36 (d) This section shall apply to all of the following:

37 (1) Programs supported through the Health Professions  
38 Education Fund pursuant to Section 128355.

39 (2) The Registered Nurse Education Fund created pursuant to  
40 Section 128400.

1 (3) The Mental Health Practitioner Education Fund created  
2 pursuant to Section 128458.

3 (4) The Vocational Nurse Education Fund created pursuant to  
4 Section 128500.

5 (5) The Medically Underserved Account for Physicians created  
6 pursuant to Section 128555.

7 (6) Loan forgiveness and scholarship programs created pursuant  
8 to Section 5820 of the Welfare and Institutions Code.

9 (7) The Song-Brown Health Care Workforce Training Act  
10 created pursuant to Article 1 (commencing with Section 128200)  
11 of Chapter 4.

12 (8) To the extent permitted under federal law, the program  
13 administered by the office pursuant to the federal National Health  
14 Service Corps State Loan Repayment Program (42 U.S.C. Sec.  
15 254q-1), commonly known as the California State Loan Repayment  
16 Program.

17 (9) The programs administered by the office pursuant to the  
18 Health Professions Career Opportunity Program (Section 127885),  
19 commonly known as the Mini Grants Program and the California's  
20 Student/Resident Experiences and Rotations in Community Health,  
21 or CalSEARCH, Program.